

WM 17-353 PO
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LUIS UZHCA and MARIA SMITH,

Plaintiffs,

-against-

Docket No.: 17CV03850

AFFIDAVIT

WAL-MART STORES, INC., SAM'S EAST, INC. and
INLAND-GREENBURGH DELAWARE BUSINESS
TRUST,

Defendants.
-----X

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

PATRICIA A. O'CONNOR, being duly sworn, deposes and says:

1. Annexed hereto and made a part hereof as Exhibit A is the plaintiffs' Summons and Complaint.
2. Annexed hereto and made a part hereof as Exhibit B is the defendants' Answer.
3. Annexed hereto and made a part hereof as Exhibit C is the plaintiffs' Response to Interrogatories.
4. Annexed hereto and made a part hereof as Exhibit D is the liability portion of the sworn testimony of LUIZ UZHCA.
5. Annexed hereto and made a part hereof as Exhibit E is the sworn testimony of Winston Ash, plaintiff's supervisor at American Paper on the day of his accident.

6. Annexed hereto and made a part hereof as Exhibit F is the sworn testimony of Cesar Javez, a co-employee at American Paper.

7. Annexed hereto and made a part hereof as Exhibit G is the sworn testimony of Robert O'Neill, general merchandise manager for the Sam's Club in Elmsford, New York at the time of plaintiff's accident.

8. Annexed hereto and made a part hereof as Exhibit H is the sworn testimony of Brian Kelly, the driver for American Paper at the time of plaintiff's accident.

9. Annexed hereto and made a part hereof as Exhibit I is the subpoena served upon American Paper.

10. Annexed hereto and made a part hereof as Exhibit J is the June 15, 2018 response to that subpoena, received via email from counsel for American Paper.

11. Annexed hereto and made a part hereof as Exhibit K are the reports of Brooks Rugemer, plaintiffs' retained expert.

12. Annexed hereto and made a part hereof as Exhibit L is the sworn testimony of Brooks Rugemer.

13. Annexed hereto and made a part hereof as Exhibit M is the document entitled "Safe Shipping ISRI/AF & PA Shipping Guide."

Dated: Northport, New York
September 3, 2019


PATRICIA A. O'CONNOR (PO 5645)

Sworn to before me this
10 day of September, 2019.


NOTARY PUBLIC

DEBRA SANACORA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SA6174321

Qualified in Suffolk County
My Commission Expires 09-17-2023